



CONFIDENTIAL
ORDER NUMBER
R-10-22

IN THE MATTER OF
the *Utilities Commission Act*, RSBC 1996, Chapter 473

and

British Columbia Hydro and Power Authority
Confirmation of Alleged Violations of Mandatory Reliability Standards:

FAC-003-3 Requirement 6 - Violation ID: BCUC2020000728
FAC-003-4 Requirement 2 - Violation ID: BCUC2019000681
FAC-003-4 Requirement 2 - Violation ID: BCUC2020000724
FAC-003-4 Requirement 2 - Violation ID: BCUC2020000725
FAC-003-4 Requirement 2 - Violation ID: BCUC2020000726
FAC-003-4 Requirement 2 - Violation ID: BCUC2020000733
FAC-003-4 Requirement 2 - Violation ID: BCUC2020000735
FAC-003-4 Requirement 2 - Violation ID: BCUC2020000734

BEFORE:

R. I. Mason, Panel Chair
M. Kresivo, QC, Commissioner
E. B. Lockhart, Commissioner

on March 22, 2022

ORDER

WHEREAS:

- A. On May 21, 2021, the Western Electricity Coordinating Council (WECC), acting as the Administrator for the British Columbia Mandatory Reliability Standards Program (BC MRS Program), issued Notice of Alleged Violation CF1867 (Notice CF1867) to British Columbia Hydro and Power Authority (BC Hydro) citing ten alleged violations of the following standards and requirements under the FAC-003 Transmission Vegetation Management Mandatory Reliability Standard (Alleged Violations of FAC-003);

BCUC Violation ID	Reliability Standard and Requirement
BCUC2019000681	FAC-003-4 R2
BCUC2020000724	FAC-003-4 R2
BCUC2020000725	FAC-003-4 R2
BCUC2020000726	FAC-003-4 R2
BCUC2020000733	FAC-003-4 R2

BCUC2020000734	FAC-003-4 R2
BCUC2020000735	FAC-003-4 R2
BCUC2020000727	FAC-003-4 R4
BCUC2020000728	FAC-003-3 R6
BCUC2020000729	FAC-003-4 R7

- B. British Columbia Utilities Commission (BCUC) Order G-123-09 approved the Compliance Monitoring Program, which provides a process for dealing with violations of Mandatory Reliability Standards adopted by the BCUC. The most recent revisions to the Compliance Monitoring Program were approved by Order R-40-17, dated September 1, 2017;
- C. Notice CF1867 describes the facts and circumstances that allegedly demonstrate or constitute the Alleged Violations of FAC-003 together with additional information, including proposed penalty amounts, pursuant to Section 4.3.2 of the Compliance Monitoring Program;
- D. Pursuant to Section 4.4 of the Compliance Monitoring Program and as set out in Notice CF1867, BC Hydro has three options and 30 days to respond to the Notice of Alleged Violation;
- E. On June 21, 2021, BC Hydro responded to Notice CF1867 (BC Hydro Response), in accordance with Section 4.4.2 of the Compliance Monitoring Program, stating that it does not contest eight of the ten Alleged Violations of FAC-003 (Uncontested Violations), specifically:
- BCUC Violation ID BCUC2019000681, which is a violation of FAC-003-4 R2,
 - BCUC Violation ID BCUC2020000724, which is a violation of FAC-003-4 R2,
 - BCUC Violation ID BCUC2020000725, which is a violation of FAC-003-4 R2,
 - BCUC Violation ID BCUC2020000726, which is a violation of FAC-003-4 R2,
 - BCUC Violation ID BCUC2020000733, which is a violation of FAC-003-4 R2,
 - BCUC Violation ID BCUC2020000734, which is a violation of FAC-003-4 R2,
 - BCUC Violation ID BCUC2020000735, which is a violation of FAC-003-4 R2; and
 - BCUC Violation ID BCUC2020000728, which is a violation of FAC-003-3 R6.
- F. Although BC Hydro does not contest the Uncontested Violations in the BC Hydro Response, it did make submissions on what it considers factual inaccuracies and statements set out in Notice CF1867;
- G. On August 20, 2021, WECC responded to the BC Hydro Response stating it affirms all the violations in Notice CF1867 but would revise and reissue Notice CF1867 only to correct inaccurate violation discovery dates and to provide further clarity in the proposed penalty section (Revised Notice CF1867);
- H. On September 17, 2021, BC Hydro responded to Revised Notice CF1867 and stated that it relies upon and repeats its submissions in the BC Hydro Response and provided brief additional comments related to two of the ten Alleged Violations of FAC-003 it contests and penalty amounts of the Uncontested Violations;

- I. By Order R-33-21 dated December 7, 2021, the BCUC established a proceeding for the review of Alleged Violations under the Facility Design, Connections and Maintenance Mandatory Reliability Standard family, which included Notice CF1867; and
- J. The BCUC has reviewed the information in Notice CF1867, Revised Notice CF1867 and BC Hydro's responses dated June 21, 2021 and September 17, 2021 and determines that confirmation of the Uncontested Violations is warranted.

NOW THEREFORE pursuant to section 125.2(10) of the *Utilities Commission Act* (UCA) and in accordance with the Compliance Monitoring Program, the BCUC finds that BC Hydro contravened Mandatory Reliability Standard FAC-003 Requirements 2 and 6 as set out in Notice CF1867 issued to BC Hydro on May 21, 2021 and orders as follows:

1. The following Alleged Violations are confirmed:
 - BCUC Violation ID BCUC2019000681, which is a violation of FAC-003-4 R2,
 - BCUC Violation ID BCUC2020000724, which is a violation of FAC-003-4 R2,
 - BCUC Violation ID BCUC2020000725, which is a violation of FAC-003-4 R2,
 - BCUC Violation ID BCUC2020000726, which is a violation of FAC-003-4 R2,
 - BCUC Violation ID BCUC2020000733, which is a violation of FAC-003-4 R2,
 - BCUC Violation ID BCUC2020000734, which is a violation of FAC-003-4 R2,
 - BCUC Violation ID BCUC2020000735, which is a violation of FAC-003-4 R2, and
 - BCUC Violation ID BCUC2020000728, which is a violation of FAC-003-3 R6.
2. All compliance materials related to the Alleged Violations of FAC-003 will be held confidential until the BCUC determines otherwise.

DATED at the City of Vancouver, in the Province of British Columbia, this 22nd day of March 2022.

BY ORDER

Original signed by:

R. I. Mason
Commissioner